

REMARKS

The present document is submitted in response to the Official Action dated October 16, 2007. The Official Action rejected all of the independent claims (*i.e.*, Claims 1, 20, 25, 44, and 45) under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,657,382 to Tamagawa *et al.* ("*Tamagawa*") in view of U.S. Patent No. 5,920,812 to Palviainen ("*Palviainen*"). Applicant notes that the Official Action expressly states at p. 2 that the rejections are based on 35 U.S.C. § 102(b), but this statement is placed immediately under the heading "Claim Rejections – 35 USC § 103", and the description of the rejections includes references, apparently necessarily, to both *Tamagawa* and *Palviainen*. As such, Applicant assumes that the rejections are indeed under 35 U.S.C. § 103, and that the language related to § 102(b) was included erroneously.

Herein Applicant respectfully traverses all of the rejections. Applicant requests reconsideration of all of the claims in view of the following remarks.

Independent Claim 1 reads as follows:

1. A method of notifying a call forwarding party about a forwarded call, said method comprising:
 - forwarding a call from a calling party to a destination defined by said call forwarding party;
 - establishing processable data content of a notification about said forwarded call; and
 - sending said notification by a service of a communication network to a terminal of said call forwarding party, wherein said content of the notification comprises information about at least a type of forwarding and said terminal of said call forwarding party is different from the destination defined by said call forwarding party.

Each of the independent claims includes a recitation regarding "sending a notification about a forwarded call to a terminal of the call forwarding party, wherein said content of the notification comprises information about at least a type of forwarding," or the like.

The Official Action indicates that "*Tamagawa et al.* does not teach the notification comprises information about a type of forwarding. *Palviainen* teaches . . . the notification comprises information about a type of forwarding (col. 2, line 58 through col. 3, line 6; col. 6, lines 66-67)." See p. 3 of the Official Action.

Applicant notes that the cited passages of *Palviainen* are the same passages cited in a prior Official Action dated March 12, 2007. Applicant's July 12, 2007 response to the March 12, 2007 Official Action provided arguments indicating that *Palviainen* did not disclose a "notification comprising information about a type of call forwarding." Specifically, those arguments were (*see* pp. 11-12 of the July 12, 2007 Amendment):

Column 2, line 58 onward of *Palviainen* discloses a mobile exchange being informed of the fact that call forwarding is in an activated state for a called subscriber by some subscriber database of the network. The mobile exchange also knows the type of the call being made, whether it be a voice call or a data call. In one embodiment, the "information concerning the type of the call is transmitted to the mobile exchange as included, for instance, in a message where the subscriber database notifies the carrying out of call forwarding and gives a number to which the forwarding is to be performed. The mobile exchange implementing the call forwarding checks the type data of the call and omits possible intermediate announcements relating to the call forwarding in connection with a data call and allows intermediate announcements in connection with speech calls." *Palviainen* goes on to state that the mobile exchange implementing the call forwarding may be a transit exchange routing the call or a terminating exchange serving the mobile station, to which exchange the call is routed. Column 6, lines 66-67 of *Palviainen* discloses that a subscriber can specify ahead of time that calls are uniformly forwarded based on call type, for example, having speech calls forwarded to a secretary and telefax calls forwarded to the office telefax number.

The above described portion of *Palviainen* is therefore directed to the receipt of information, regarding both call type and the activation of a call forwarding state, by a mobile exchange. Some portion of the information regarding the call forwarding state may be predefined by a user. Neither this nor any other portion of *Palviainen* addresses the case in which notification about a type of forwarding is sent to a terminal of the call forwarding party, as recited in Claim 1. By sending such information to a terminal of the call forwarding party, . . . that party may be able to utilize the information, for example, to cancel the call forwarding operation. In contrast, in *Palviainen*, any conditions on call forwarding are predefined by a subscriber based on the call type, and the call forwarding party is not notified about, and does not interact with, specific cases of call forwarding. This latter point is supported by the statement at col. 6, line 67 through col. 7, line 3: "Information on the call forwarding functions activated by the subscriber is stored permanently in the home location register HLR of the subscriber." Hence, by storing the settings of the subscriber in the HLR, the

settings can be automatically executed and it is not necessary to notify the subscriber of the call forwarding.

Following the submission of the above arguments, an Advisory Action dated July 31, 2007 was issued, which Advisory Action stated that “. . . Palviainen teaches a notification message transmitted to the mobile exchange concerning the type of call (col. 2, line 58 through col. 3, line 8).” See p. 2 of the Advisory Action (emphasis added).

Applicant reiterates the above arguments and again respectfully submits that *Palviainen* does not disclose “sending a notification about a forwarded call to a terminal of the call forwarding party, wherein said content of the notification comprises information about at least a type of forwarding,” as recited in each of the independent claims. Instead, *Palviainen* simply discloses the forwarding of information about the type of call being forwarded (*i.e.*, voice call or data call), as indicated in the Advisory Action (*i.e.*, the emphasized portion above), and identifies whether call forwarding is generally activated, but does not identify the “type of forwarding” that may be employed in any individual case or even in general.

Applicant notes that information about a “type of forwarding” and information about a “type of call” are different from one another, as should be clear from the plain language of those two phrases. For example, a “type of call” may refer to, say, the distinction between a “voice call” and a “data call.” Alternatively, a “type of forwarding” may refer to, for example, whether a call has been or is to be multiply-forwarded, or whether a call is to be forwarded after some delay or queue time, or perhaps whether a call should be only partially forwarded.

The Official Action states (*see* p. 3):

Palviainen teaches . . . the notification comprises information about a type of forwarding (col. 2, line 58 through col. 3, line 6; col. 6, lines 66-67). For example, if a call is data call, omit the intermediate announcement and perform the call forwarding. Another example is if a call is speech call forwards the call to secretary, and if a call is data call or telefax forwards the call to telefax number (col. 9, lines 10-16).

With respect to the above statements, Applicant respectfully submits that these are simply examples of ways in which information about a type of call may be utilized in the process of forwarding a call. These are not examples of providing information about a type of call, much

less examples of providing information about a type of call forwarding. In the above examples, it may be that one can objectively discern information about a type of call based on the disposition of that call. However, this is no different than a user coming to the realization that a voice call is being received when a telephone rings and that a data call is being received when a facsimile machine begins to operate, and in any event such ability to independently discern information about a type of call is unrelated to the provision of information about a type of call forwarding, as recited in the independent claims of the present application.

For at least the above reasons, it is respectfully submitted independent Claims 1, 20, 25, 44, and 45, and the claims respectively depending therefrom, are patentable over *Tamagawa* and *Palviainen*, taken either alone or in combination.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned representative to resolve any remaining issues in order expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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LEGAL02/30666420v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JANUARY 15, 2008.